



ARIZONA HOUSE OF REPRESENTATIVES

HCR 2007: clean elections; unlawful contributions; rulemaking

PRIME SPONSOR: Representative Coleman, LD 16

BILL STATUS: [Senate Engrossed](#)

Senate 3rd Read: 17-12-1

Legend:

CCEC – Citizens Clean Election Commission

SOS – Secretary of State

Amendments – **BOLD** and ~~Stricken~~ (Committee)

Abstract

Relating to unlawful contributions from a candidate's clean election account.

Provisions

1. Designates it an unlawful contribution to directly or indirectly make a payment from a clean election account to:
 - a. A political party; and
 - b. A tax exempt 501(a) organization that is eligible to engage in activities to influence the outcome of a candidate election. (Sec. 1)
2. Removes the CCEC's exemption from rulemaking requirements. (Sec. 2)
3. Requires the SOS to submit this proposition to the voters at the next general election. (Sec. 3)
4. Makes technical and conforming changes. (Sec. 1-3)

Current Law

A participating clean elections candidate is required to conduct all financial activity through a single campaign account of the candidate's campaign committee. A candidate may designate other individuals with the authority to withdraw funds if the candidate and the designated individual sign the required joint statement under oath promising to comply with all state law relating to elections and electors. The candidate or authorized individual is required to pay money from the campaign account directly to any person providing goods and services to the campaign and file a report containing all the statutorily required information ([A.R.S. § 16-948](#)).

The CCEC may adopt rules to carry out its duties and to govern procedures and is exempt from statutory rulemaking requirements. The CCEC is required to propose and adopt rules in public meetings, with at least a 60-day period for interested parties to comment on the proposed rules. After consideration of the comments received, the CCEC may adopt rules in an open meeting and file the rules with the SOS ([A.R.S. § 16-956](#)).

Additional Information

Tax-exempt 501(a) organizations include 501(c) nonprofit organization, 501(d) religious and apostolic organizations and 401(a) pension, profit sharing and stock bonus plans (IRC §§ [401](#) & [501](#)).

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note